REMARKS/ARGUMENTS

The present Amendment is filed with an RCE entering the previously unentered amendment filed June 2, 2009. As the Examiner will note, the claims have been broken into two groups: Claims 13, 15-16, 21-23, 26 and 28 relating to component B) carrying at least one phosphonate group, and Claims 36-43 which are essentially identical but for the requirement that component B) carry at least one particular fluorinated group of the formula $-(CH_2)_b-C_cF_{2c+1}$. As the Examiner will appreciate, new Claims 36-43 are supported by Claims 13, 15-16, 21-23 and 28. New Claims 44 - 47 relate to preferred m2 units as found at specification page 16, lines 13-25 and page 17, line 12 – page 18, line 31. No new matter has been entered.

Applicants appreciate the Examiner's remarks provided in the Advisory Action of June 16, 2009. The above amendments to the claims are intended to both address the Examiner's comments and provide two claim sets each directed to a particular for consideration by the Examiner.

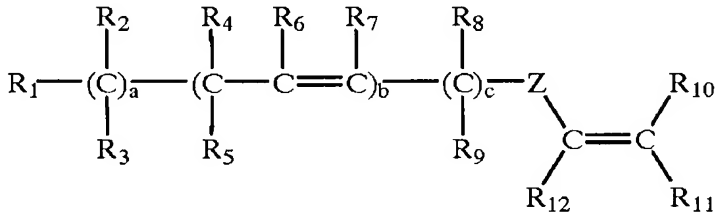
With regard to Applicants' first claim set directed to the presence of a component (B) carrying at least one phosphonate group $-PO(OH)(OR_1)$ with R_1 being a hydrogen atom or an alkyl radical containing from 1 to 11 carbon atoms, the Examiner cites Padget and Denk (U.S. 2,971,948). An important issue that seems to have been missed in Applicants' last response is that Denk does not relate to vinylidene chloride-based materials as does Padget. Rather, Denk relates to vinyl chloride materials, and the possible optional minor presence of vinylidene chloride (col. 1, lines 15-17 and line 66 - col. 2, line 1 of Denk) does not make the vinyl chloride materials of Denk into vinylidene chloride-based materials. Whatever Denk suggests for his described copolymers of vinyl chloride thus has nothing to do with the vinylidene chloride polymers of Padget. In this regard, one of ordinary skill in the art would

not look to Denk in order to modify Padget. In further support thereof, see paragraph 3 of the attached Declaration of inventor Vincent Bodart.[1]

With regard to present Claims 36-43, the Examiner cites Padget in view of Thames. In making the combination, the Examiner notes page 9, lines 4ff of Padget wherein internally plasticizing comonomers are described, all of which are acrylate type comonomers or alkenes. The position has been taken that it would have been obvious to one of ordinary skill in the art to substitute the monomer depicted at column 5, line 20 of Thames for the internally plasticizing comonomer of Padget.

The problem with this reasoning is that the monomer of Thames necessarily requires the presence of an internal unsaturation (note that "b" must be one or two in formula (I) of Thames):

(I)



See column 6, lines 25-26 thereof. Thus, Thames correctly characterizes this monomer has **crosslinkable** at column 5, lines 12-13 thereof. As supported by the attached Declaration of Vincent Bodart (see, e.g., para. 4), there is no relationship between the internally plasticizing comonomers of Padget and the internally plasticizing and *crosslinkable* monomers of Thames, either in function or effect. In this regard, and again, one of ordinary skill in the art

[1] Note that the Bodart Declaration is missing certain identifying information on the front page thereof, which apparently was lost when the Declaration was transmitted via email. However, the Declaration adequately identifies the present application at the top of pages 2 and 3 thereof.

would not modify Padget by substituting the Thames internally plasticizing and crosslinkable monomers for the purely internally plasticizing comonomer described therein. Note also the fact that the internally plasticizing and crosslinkable monomers of Thames are nothing like those specified in new Claims 46-47. Bodart Declaration, para. 5.

Accordingly, and in view of the above amendments and remarks Applicants respectfully request the reconsideration and withdrawal of the outstanding rejections and the passage of this case to Issue.

Respectfully submitted,

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